

OFFICIAL
OFFICIAL

RECEIVED
CENTRAL FAX CENTER
CARDINAL LAW GROUP

FEB 20 2004

1603 Orrington Avenue/Suite 2000
Evanston, Illinois 60201
Telephone 847 - 905 - 7111
Facsimile 847 - 905 - 7113

**CONFIDENTIAL ATTORNEY-CLIENT
PRIVILEGED COMMUNICATION**

Date: FEBRUARY 18, 2004

To: EXAMINER EHICHOYA
U.S. PATENT AND TRADEMARK OFFICE

Fax #: (703) 746-7239

From: FRANK C. NICHOLAS
Fax #: (847) 424-2521

Client/Matter No.: AUS920010241US1 (9000/39)

of Pages: 9
(including cover sheet)

IF YOU HAVE ANY PROBLEMS RECEIVING THIS MESSAGE, PLEASE CALL 847/905-7111, Ext. 2280 AND ASK FOR JENNIFER CRUZ.

THIS MESSAGE IS INTENDED ONLY FOR THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. IT MAY CONTAIN PRIVILEGED, CONFIDENTIAL, ATTORNEY WORK PRODUCT, OR TRADE SECRET INFORMATION WHICH IS EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAWS. IF YOU ARE NOT THE INTENDED RECIPIENT, OR AN EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE (AND ALL COPIES) TO US BY MAIL AT THE ABOVE ADDRESS. WE WILL REIMBURSE YOU FOR POSTAGE.

PTO-852 (11-98) ACCORDING TO THE INVENTOR'S STATEMENT, THIS DOCUMENT IS A TRADEMARK OR PATENT DOCUMENT. IT IS REQUIRED TO BE MAILED OR TRANSMITTED AS A TRADEMARK OR PATENT DOCUMENT UNLESS A COPY OF A TRADEMARK OR PATENT DOCUMENT NUMBER IS PROVIDED.

TRANSMITTAL FORM		Attorney Docket No.	AUS920010241US1 (9000/39)
(to be used for all correspondence after initial filing)		Application Number	09/925,782
		Filing Date	AUGUST 9, 2001
		First Named Inventor	RABINDRANATH DUTTA
		Group Art Unit	2172
		Examiner	EHICHOYA, FRED

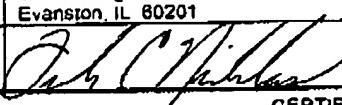
ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Response and Amendment to Office Action Dated January 2, 2004	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> After Final	<input type="checkbox"/> Drawings	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> After Allowance Communication to Group	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Post Card Receipt
<input type="checkbox"/> Petition for Extension of Time Request (dup)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Additional Enclosure(s) (please identify below).
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Applicant Initiated Interview Request Form	<input type="checkbox"/>
<input type="checkbox"/> Supplemental Information Disclosure Statement, PTO-1449, att	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/>
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Express Abandonment under 37 CFR 1.138	<input type="checkbox"/>
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Request of Refund	<input type="checkbox"/>
	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No 09-0447 (IBM Corporation). A duplicate copy of this sheet is enclosed.	
	<input checked="" type="checkbox"/> I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No 09-0447 (IBM Corporation). A duplicate copy of this sheet is enclosed.	

CALCULATION OF FEE

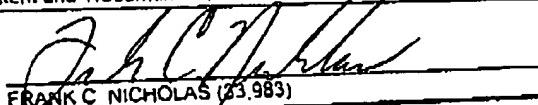
	Claims After Amendment		Highest No Previously Paid For	Present Extra	Small Entity		Large Entity	
					Rate	Add'l Fee	Rate	Add'l Fee
Total		Minus		0	× \$9=	0	× \$18=	
Indep		Minus		0	× \$43=	0	× \$86=	
First Presentation of Multiple Dep. Claim					+\$145=	—	+\$290=	
					total add'l fee	\$ 0	total add'l fee	\$ 0

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	FRANK C. NICHOLAS Registration No. 33,983 CARDINAL LAW GROUP 1603 Orrington Avenue, Suite 2000 Evanston, IL 60201
Signature	
Date	February 18, 2004

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to (703) 748-7239 to the United States Patent and Trademark Office on this date:	February 18, 2004
--	-------------------

Signature	
FRANK C. NICHOLAS (23,983)	Date: February 18, 2004

#6/
WM**RECEIVED
CENTRAL FAX CENTER****FEB 20 2004****OFFICIAL****CERTIFICATE OF FACSIMILE**

I hereby certify that this correspondence is being transmitted via facsimile to (703) 746 - 7239 to the United States Patent and Trademark Office on February 18, 2004.
(Date of Deposit)

FRANK C. NICHOLAS (33 v83)
Name of applicant, assignee or registered representative



Signature

February 18, 2004

Date of Signature

PATENT
Case No. AUS920010241US1
(9000/39)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
RABINDRANATH DUTTA, ET. AL.) Examiner: EHICHOYA, F.
Serial No.: 09/925,782)
Filed: AUGUST 9, 2001) Group Art Unit: 2171
Title: METHOD FOR CONTROLLING)
ACCESS TO MEDICAL INFORMATION)

RESPONSE AND AMENDMENT
TO OFFICE ACTION DATED JANUARY 2, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22202-1450

Dear Sir:

This is a response to a non-final Office Action dated January 2, 2004.

February 18, 2004
Case No.: AUS920010241US1 (9000/39)
Serial No.: 09/925,782
Filed: August 9, 2001
Page 2 of 6

INTRODUCTORY COMMENTS

The present amendment replies to a non-final Office Action dated January 2, 2004. Claims 1-27 are currently pending in the present application. In the Office Action, Examiner Ehichioya rejected pending claims 1 – 27 under 35 U.S.C. 102(e) as anticipated by Hinkle, United States Patent 6,190,313B1.

The Applicants respectfully request reconsideration and further examination of the present application under 37 CFR §1.112.